



UNITED STATES DEPARTMENT OF COMMERCE
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SERIAL NUMBER 07/926,191	FILING DATE 05/20/89	FIRST NAMED INVENTOR CHANDRANATHA R	ATTORNEY DOCKET NO. 16561CIP
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MARTIN A. VOET
ALLERGAN, INC.
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IRVINE, CA 92715

EXAMINER

RICHTER, J

ART UNIT 121	PAPER NUMBER: 3
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DATE MAILED: 01/12/90

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

☒ This application has ^{not} been examined ☐ Responsive to communication filed on _____ ☐ This action is made final.

A shortened statutory period for response to this action is set to expire _____ month(s), 30 days from the date of this letter.
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

- | | |
|-------------------------------------------------------------------------------------|----------------------------------------------------------------------------------|
| 1. <input type="checkbox"/> Notice of References Cited by Examiner, PTO-892. | 2. <input type="checkbox"/> Notice re Patent Drawing, PTO-948. |
| 3. <input type="checkbox"/> Notice of Art Cited by Applicant, PTO-1449. | 4. <input type="checkbox"/> Notice of Informal Patent Application, Form PTO-152. |
| 5. <input type="checkbox"/> Information on How to Effect Drawing Changes, PTO-1474. | 6. <input type="checkbox"/> _____ |

Part II SUMMARY OF ACTION

1. ☒ Claims 1-28 are pending in the application.
Of the above, claims _____ are withdrawn from consideration.
2. ☐ Claims _____ have been cancelled.
3. ☐ Claims _____ are allowed.
4. ☐ Claims _____ are rejected.
5. ☐ Claims _____ are objected to.
6. ☒ Claims 1-28 are subject to restriction or election requirement.
7. ☐ This application has been filed with informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.
8. ☐ Formal drawings are required in response to this Office action.
9. ☐ The corrected or substitute drawings have been received on _____. Under 37 C.F.R. 1.84 these drawings are ☐ acceptable. ☐ not acceptable (see explanation or Notice re Patent Drawing, PTO-948).
10. ☐ The proposed additional or substitute sheet(s) of drawings, filed on _____ has (have) been ☐ approved by the examiner. ☐ disapproved by the examiner (see explanation).
11. ☐ The proposed drawing correction, filed on _____, has been ☐ approved. ☐ disapproved (see explanation).
12. ☐ Acknowledgment is made of the claim for priority under U.S.C. 119. The certified copy has ☐ been received ☐ not been received
☐ been filed in parent application, serial no. _____; filed on _____.
13. ☐ Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.
14. ☐ Other

EXAMINER'S ACTION

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Art Unit 121

Restriction to one of the following inventions is required under 35 USC 121.

Group 1

Compounds according to claim 1 wherein X is O or S and A is pyridyl. These are classifiable in Class 546, subclass 269 and 274.

Group 2

Compounds according to claim 1 wherein A is thienyl and X is oxygen. These are classifiable in Class 549, Subclass 60.

Group 3

Compounds according to claim 1 wherein X is sulfur and A is thienyl. These are classifiable in Class 549, subclasses 49 and 58.

Group 4

Compounds according to claim 1 wherein X is NR' and A represents pyrazinyl, pyridyl, thienyl or furyl. These are classifiable in class 546, subclass 166.

Group 5

Compounds according to claim 1 wherein A represents pyridazinyl. These are classifiable in class 544, subclass 238.

Group 6

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Art Unit 121

Compounds according to claim 1 wherein A represents pyrimidyl. These are classifiable in Class 544, subclasses 242 and 335.

These inventions are independent and distinct because there is no patentable co-action among the various compounds and a reference anticipating one member will not render another obvious.

Because these inventions are distinct for the reasons given above, and have acquired a separate status in the art as shown by their different classification restriction for examination purposes as indicated is proper.

The method of use and composition claims will be examined along with the elected invention and commensurate in scope therewith.

A telephone call was made to Mr. Martin A. Voet on December 15, 1989 to request an oral election to the above restriction requirement, but did not result in an election being made.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Johann Richter whose telephone

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Art Unit 121

number is (703) 557-5388.

Any inquiry of a general nature, or relating to the status of this application, should be directed to the Group receptionist whose telephone number is (703) 557-3920.

01/03/90;rbb

JOHANN RICHTER
EXAMINER
ART UNIT 121

J. Richter